

Stricken language would be deleted from and underlined language would be added to present law.
Act 1044 of the Regular Session

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: H3/20/19

A Bill

HOUSE BILL 1782

By: Representative Capp

By: Senator Bond

For An Act To Be Entitled

AN ACT CONCERNING COURT COSTS AND FEES FOR SPECIALTY COURT IN THE STATE'S DISTRICT COURTS; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING COURT COSTS AND FEES FOR SPECIALTY COURT IN THE STATE'S DISTRICT COURTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 16, Chapter 10, Subchapter 1, is amended to add an additional section to read as follows:

16-10-141. District court costs and fees – Specialty courts.

(a) As used in this section, "specialty court program" means the same as defined in § 16-10-139.

(b) A district court judge presiding over a specialty court program that has been approved by the Supreme Court may order the offender to pay:

(1) Court costs as provided in § 16-10-305;

(2) Treatment costs;

(3) Drug testing costs;

(4) A local specialty court program user fee;

(5) Necessary supervision fees, including any applicable residential treatment fees;

(6) Global Positioning System monitoring costs; and

(7) Continuous alcohol monitoring fees.



(c)(1) The district court judge presiding over a specialty court program shall establish a schedule for the payment of specialty court program costs and fees.

(2) The costs for treatment, drug testing, continuous alcohol monitoring and supervision shall be set by the treatment and supervision providers and made part of the order of the district court judge presiding over a specialty court program for payment.

(3) Specialty court program user fees shall be set by the district court judge presiding over a specialty court program.

(4) The costs for treatment, drug testing, continuous alcohol monitoring, and supervision shall be paid to the respective providers.

(5)(A) Court costs and local specialty court program user fees assessed by the district court judge presiding over the specialty court program shall be paid to the county, town, or city official, agency, or department that is primarily responsible for the collection of fines assessed by the district court under § 16-13-709 for remittance into a local fund entitled the District Court Specialty Court Program Fund.

(B) Installment payments shall be considered a payment toward court costs under § 16-10-305 until the court costs have been collected in full.

(C) Any remaining payments representing collections of other fees and costs as authorized in this section shall be remitted by the tenth day of each month to the city treasurer of the city in which the district court is located to be deposited into the District Court Specialty Court Program Fund.

(D) A district court that is funded solely by the county shall remit all remaining funds by the tenth day of each month to the county treasurer of the county in which the district court is located to be deposited into the District Court Specialty Court Program Fund.

(E) Expenditures from the District Court Specialty Court Program Fund shall require the approval of the district court judge presiding over the specialty court program and shall be authorized and paid by law concerning the appropriation and payment of county or municipal expenditures by the governing body or, if applicable, governing bodies, that contribute to the expenses of the district court.

(F)(i) Expenditures from the District Court Specialty

Court Program Fund shall be used solely for the support, benefit, and administration of the specialty court program.

(ii) Expenditures may be made for indirect expenses related to the specialty court program, including training and travel expenses, program user incentives, graduation costs, and supplies.

(6) Court orders for costs and fees shall remain an obligation of the offender and shall be monitored by the district court until fully paid.

(c) A grant awarded to a specialty court program presided over by a district court judge, as well as all memorials, honorariums, and other monetary gifts to the specialty court program shall be deposited into the District Court Specialty Court Program Fund.

(d) A fee or costs under this section may be waived in whole or in part if the court finds that the person subject to paying the cost or fee is indigent.

/s/Capp

APPROVED: 4/16/19